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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA et al., 10 Petitioners, 11 vs. 12 STATE OF WASHINGTON et al., 13 Respondent.	Case No. C70-9213 Subproceeding No. 19-01RSM ORDER GRANTING LEAVE TO OPEN A NEW SUBPROCEEDING
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14 THIS MATTER comes before the Court for consideration upon the *Ex Parte* Motion of
15 the Swinomish Indian Tribal Community, the Tulalip Tribes and the Upper Skagit Indian Tribe
16 (the Moving Tribes) to open a new subproceeding against the Lummi Nation. Dkt. #22060. A
17 certification filed with the instant Motion certifies that the parties have held a Meet and Confer
18 and have conducted negotiations in compliance with the pre-filing requirements of Paragraph 25
19 of the Permanent Injunction, as modified August 11, 1993 (Dkt. #13599), and the Court's
20 Supplemental Order on Paragraph 25 Procedure (Dkt. #13599).

21 Having considered the materials submitted in support of the instant Motion and the
22 relevant record, the Court hereby ORDERS that the Moving Tribes are GRANTED leave to open
23 a new subproceeding against the Lummi Nation and the State of Washington.

24 It is further ORDERED that the Clerk shall open this matter as a new subproceeding,
25 designated as 19-sp-01RSM. The Moving Tribes shall proceed with the filing of their Request

**ORDER GRANTING LEAVE TO OPEN A NEW
SUBPROCEEDING – Page 1**

Civil Case No. 9213, Subproceeding 19-sp-01RSM

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1 for Determination. All subsequent filings in the subproceeding shall be filed in the main case,
2 C70-9213RSM, as well as in this subproceeding.

3 This ORDER does not constitute a finding that the dispute is within the Court's
4 jurisdiction under Paragraph 25 of the Permanent Injunction.

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6 DATED this 15 of October 2019

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8 RICARDO S. MARTINEZ
9 CHIEF UNITED STATES DISTRICT JUDGE

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